

JC14 PCT/PTO

19 SEP 2001

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|  |               |
|--|---------------|
| Application Number                       | 09/762,806    |
| Filing Date                              | FEB. 13, 2001 |
| First Named Inventor                     | ECKES         |
| Group Art Unit                           |               |
| Examiner Name                            |               |
| Total Number of Pages in This Submission | 6             |
| Attorney Docket Number                   | 620110NP      |

**ENCLOSURES (check all that apply)**

|  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers<br>(for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence<br>Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication<br>to Group<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please<br>identify below): |
| <b>Remarks</b><br>RESPONSE INCLUDES DECLARATION,<br>COPY OF NOTIFICATION.  |   |  |

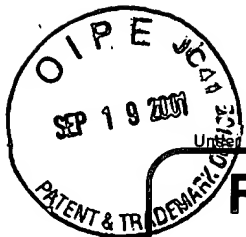
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                               |  |
|-------------------------------|--|
| Firm<br>or<br>Individual name | THOMAS M. CHAMPAGNE, IP STRATEGIES, P.C. |
| Signature                     | <i>Ths Cpn</i>                           |
| Date                          | SEPT. 17, 2001                           |

**CERTIFICATE OF MAILING**

|  |                       |      |                |
|--|-----------------------|------|----------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>SEPT. 17, 2001</u> |                       |      |                |
| Typed or printed name  | LAVREEN PONDER        | Date | SEPT. 17, 2001 |
| Signature  | <i>Lavreen Ponder</i> |      |                |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$)945-

## Complete if Known

|                      |               |
|----------------------|---------------|
| Application Number   | 091762,806    |
| Filing Date          | FEB. 13, 2001 |
| First Named Inventor | ECKES         |
| Examiner Name        |               |
| Group Art Unit       |               |
| Attorney Docket No.  | GRU110NP      |

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number   
Deposit Account Name

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid             |
|----------------------------|----------------------------|------------------------|----------------------|
| 101 710                    | 201 355                    | Utility filing fee     | <input type="text"/> |
| 106 320                    | 206 160                    | Design filing fee      | <input type="text"/> |
| 107 490                    | 207 245                    | Plant filing fee       | <input type="text"/> |
| 108 710                    | 208 355                    | Reissue filing fee     | <input type="text"/> |
| 114 150                    | 214 75                     | Provisional filing fee | <input type="text"/> |

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

| Total Claims         | Extra Claims                 | Fee from below         | Fee Paid             |
|----------------------|------------------------------|------------------------|----------------------|
| <input type="text"/> | -20** = <input type="text"/> | X <input type="text"/> | <input type="text"/> |
| Independent Claims   | -3** = <input type="text"/>  | X <input type="text"/> | <input type="text"/> |
| Multiple Dependent   |                              | <input type="text"/>   | <input type="text"/> |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |
| 102 80                     | 202 40                     | Independent claims in excess of 3                          |
| 104 270                    | 204 135                    | Multiple dependent claim, if not paid                      |
| 109 80                     | 209 40                     | ** Reissue independent claims over original patent         |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid             |
|----------------------------|----------------------------|--|----------------------|
| 105 130                    | 205 65                     | Surcharge - late filing fee or oath  | <input type="text"/> |
| 127 50                     | 227 25                     | Surcharge - late provisional filing fee or cover sheet                     | <input type="text"/> |
| 139 130                    | 139 130                    | Non-English specification  | <input type="text"/> |
| 147 2,520                  | 147 2,520                  | For filing a request for <i>ex parte</i> reexamination                     | <input type="text"/> |
| 112 920*                   | 112 920*                   | Requesting publication of SIR prior to Examiner action                     | <input type="text"/> |
| 113 1,840*                 | 113 1,840*                 | Requesting publication of SIR after Examiner action                        | <input type="text"/> |
| 115 110                    | 215 55                     | Extension for reply within first month                                     | <input type="text"/> |
| 116 390                    | 216 195                    | Extension for reply within second month                                    | <input type="text"/> |
| 117 890                    | 217 445                    | Extension for reply within third month                                     | <input type="text"/> |
| 118 1,390                  | 218 695                    | Extension for reply within fourth month                                    | <input type="text"/> |
| 128 1,890                  | 228 945                    | Extension for reply within fifth month                                     | <input type="text"/> |
| 119 310                    | 219 155                    | Notice of Appeal   | <input type="text"/> |
| 120 310                    | 220 155                    | Filing a brief in support of an appeal                                     | <input type="text"/> |
| 121 270                    | 221 135                    | Request for oral hearing   | <input type="text"/> |
| 138 1,510                  | 138 1,510                  | Petition to institute a public use proceeding                              | <input type="text"/> |
| 140 110                    | 240 55                     | Petition to revive - unavoidable   | <input type="text"/> |
| 141 1,240                  | 241 620                    | Petition to revive - unintentional   | <input type="text"/> |
| 142 1,240                  | 242 620                    | Utility issue fee (or reissue)   | <input type="text"/> |
| 143 440                    | 243 220                    | Design issue fee   | <input type="text"/> |
| 144 600                    | 244 300                    | Plant issue fee  | <input type="text"/> |
| 122 130                    | 122 130                    | Petitions to the Commissioner  | <input type="text"/> |
| 123 50                     | 123 50                     | Processing fee under 37 CFR 1.17(q)  | <input type="text"/> |
| 126 180                    | 126 180                    | Submission of Information Disclosure Stmt                                  | <input type="text"/> |
| 581 40                     | 581 40                     | Recording each patent assignment per property (times number of properties) | <input type="text"/> |
| 146 710                    | 246 355                    | Filing a submission after final rejection (37 CFR § 1.129(a))              | <input type="text"/> |
| 149 710                    | 249 355                    | For each additional invention to be examined (37 CFR § 1.129(b))           | <input type="text"/> |
| 179 710                    | 279 355                    | Request for Continued Examination (RCE)                                    | <input type="text"/> |
| 169 900                    | 169 900                    | Request for expedited examination of a design application                  | <input type="text"/> |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)945-

## SUBMITTED BY

|                   |                     |                                   |        |           |                |
|-------------------|---------------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | THOMAS M. CHAMPAGNE | Registration No. (Attorney/Agent) | 36,478 | Telephone | 202-289-2700   |
| Signature         | <i>Ths Cen</i>      |                                   |        | Date      | SEPT. 17, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT  
Washington, D.C. 20231

GRU 110 NP

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

023995

5611

INTERNATIONAL APPLICATION NO.

RABIN &amp; CHAMPAGNE, PC

1101 14TH STREET, NW

SUITE 500

WASHINGTON DC 20005

Docketed By *JK*  
DKT. No. *GRU-110NP*  
Due Date *4/21/01*LA. FILING DATE *03/13/98* PRIORITY DATE *03/14/98*

03/27/01

DATE MAILED:

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

☐ a Designated Office (37 CFR 1.494),☒ an Elected Office (37 CFR 1.495):☒ U.S. Basic National Fee.☒ Copy of the international application in:☒ a non-English language.☐ English.☒ Translation of the international application into English.☐ Oath or Declaration of inventors(s) for DO/EO/US.☐ Copy of Article 19 amendments.☐ Translation of Article 19 amendments into English.☐ The International Preliminary Examination Report in English and its Annexes, if any.☐ Translation of Annexes to the International Preliminary Examination Report into English.☒ Preliminary amendment(s) filed *13 Feb 2001* and☒ Information Disclosure Statement(s) filed *13 Feb 2001* and☐ Assignment document.☐ Power of Attorney and/or Change of Address.☐ Substitute specification filed☐ Statement Claiming Small Entity Status.☒ Priority Document.☒ Copy of the International Search Report ☒ and copies of the references cited therein.☐ Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**Enclosed: ☐ PCT/DO/EO/917☐ Notice of Defective Translation☐ PTO-875*Patricia Bookes*